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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DALE CLARK,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of  
Social Security,

Defendant.

CIVIL NO. C-06-05589-SI

STIPULATION AND [PROPOSED] ORDER  
AWARDING ATTORNEY FEES UNDER  
THE EQUAL ACCESS TO JUSTICE ACT  
(28 U.S.C. § 2412(d))

IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, subject to the approval of the Court, that counsel for Plaintiff be awarded attorney fees under the Equal Access to Justice Act in the amount of THREE THOUSAND SEVEN HUNDRED DOLLARS AND NO CENTS (\$3,700.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action for services performed before the district court in accordance with 28 U.S.C. § 2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment in the aforementioned sum under EAJA shall constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorneys fees and costs incurred

1 in this action under EAJA.

2 The settlement of Plaintiff's claim for EAJA attorney fees does not preclude Plaintiff's counsel  
3 from seeking attorney fees under 42 U.S.C. § 406(b) of the Social Security Act, subject to the offset  
4 provisions of the law.

5 Respectfully submitted,

6 Dated: March 21, 2007

7 /s/ harvey p. sackett  
8 *(As authorized via facsimile on March 21, 2007)*  
9 HARVEY P. SACKETT

10 Attorney for Plaintiff

11 Dated: March 21, 2007


12 SCOTT N. SCHOOLS  
13 United States Attorney  
14 LUCILLE GONZALES MEIS  
15 Regional Chief Counsel, Region IX  
16 Social Security Administration

17 /s/ geraldyn a. gulseth  
18 GERALYN A. GULSETH  
19 Special United States Attorney

20 Attorneys for Defendant

21 IT IS SO ORDERED:

22 Dated: \_\_\_\_\_

23   
24 \_\_\_\_\_  
25 SUSAN ILLSTON  
26 United States District Judge  
27  
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